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EMERGENCY RESPONSE, INC.

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

LIFE ALERT EMERGENCY
RESPONSE, INC., a California
corporation,

Plaintiff,

vs.

LIFEALERT SECURITY, INC., a
Canadian corporation,

Defendant.

CASE NO. CV08-03226 AHM (PLAx)

[Assigned for All Purposes to The
Honorable A. Howard Matz]

**FINAL JUDGMENT AND
PERMANENT INJUNCTION**

1 Plaintiff Life Alert Emergency Response, Inc. ("Plaintiff") and Defendant
2 LIFEALERT SECURITY, INC. ("Defendant") having stipulated to a Final Judgment and
3 Permanent Injunction, and having waived any required findings of fact and/or
4 conclusions of law, and having further waived any additional notice, and having
5 stipulated and agreed that this Permanent Injunction may be entered forthwith;

6 **IT IS ORDERED, ADJUDGED AND DECREED:**

7 1. Defendants LIFEALERT SECURITY, INC., and any person or entity
8 owned or controlled by LIFEALERT SECURITY, INC. ("Enjoined Parties"), are hereby
9 permanently, restrained, enjoined and prohibited, directly or indirectly, by any means,
10 method or device whatsoever, from using the trademarks "Life Alert", "Help, I've Fallen
11 and I Can't Get Up!" and "I've Fallen and I Can't Get Up!", or any imitation or variation
12 thereof, including, but not limited to, as a trademark, service mark or trade name or
13 purchasing or bidding on them as "keywords" on internet search engines or using them
14 in connection with any website, whether visible text of the website or in metatags.
15 Notwithstanding the foregoing, Defendant may use the word "Life" as part of its
16 trademarks, service marks or trade names, but not "Alert".

17 2. This Final Judgment and Permanent Injunction contained herein shall be
18 binding upon the Enjoined Parties upon entry by the Court without further notice to any
19 party. The Court shall retain jurisdiction of this matter for purposes of enforcement,
20 performance and modification of this Final Judgment and Permanent Injunction.

21 3. No bond shall be required to secure this Final Judgment and Permanent
22 Injunction.

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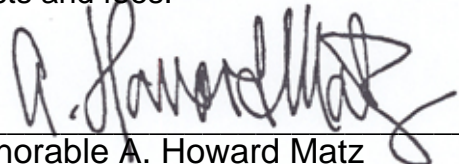
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1 4. That upon entry by the Court of the Final Judgment and Permanent
2 Injunction, all claims against Defendant are dismissed with prejudice.

3 5. That each party shall bear its own costs and fees.
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5 DATED: November 9, 2009
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Honorable A. Howard Matz
DISTRICT COURT JUDGE